

ASSEMBLY BILL

No. 1953

Introduced by Assembly Member Salas

February 17, 2010

An act to add Article 6 (commencing with Section 3500) to Chapter 3 of Part 1 of Division 2 of the Public Contract Code, relating to public contracts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1953, as introduced, Salas. Public contracts: cities and counties: in-state jobs.

Existing law imposes various requirements with respect to contracting by local government entities.

This bill would require a city, county, or city and county, when contracting for services, when there is a choice and to the extent economically feasible to do so, to contract with persons or entities that provide all of the work on the contract in California. By imposing new duties on local entities, the bill would create a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. The Legislature finds and declares all of the
2 following:

3 (a) The State of California is experiencing one of the worst
4 economic crises since the Great Depression, with over two million
5 Californians out of work.

6 (b) During this time of extreme hardship for so many
7 Californians, it is imperative to ensure that the state does not lose
8 more jobs due to outsourcing to other states and foreign countries.

9 (c) Critical steps need to be taken to get our state economy back
10 on track and put people back to work.

11 (d) The purpose of this act is to revive local communities by
12 creating new jobs and revitalizing the economy.

13 SEC. 2. Article 6 (commencing with Section 3500) is added
14 to Chapter 3 of Part 1 of Division 2 of the Public Contract Code,
15 to read:

16
17 Article 6. California Work Act
18

19 3500. (a) Any city, county, or city and county, when
20 contracting for services, shall, when there is a choice and to the
21 extent economically feasible to do so, contract with persons or
22 entities that provide all of the work on the contract in California.

23 (b) For purposes of this section, the determination of whether
24 a contract is “economically feasible” shall be made by the
25 contracting entity on the basis of costs, quality, and budget.

26 SEC. 3. If the Commission on State Mandates determines that
27 this act contains costs mandated by the state, reimbursement to
28 local agencies and school districts for those costs shall be made
29 pursuant to Part 7 (commencing with Section 17500) of Division
30 4 of Title 2 of the Government Code.